THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :1890 of 2007

DATED: 02-02-2007

Molliga Suramma.

..... PETITIONERS

AND

The Principal Secretary to Government,
Tribal Welfare Department,
Secretariat,
Hyderabad & 3 others.

.....RESPONDENTS

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ORDER:
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Heard the learned counsel appearing for the petitioner as well as the learned Government Pleader for Social Welfare appearing for the respondents.

2. On a report of the Special Deputy Tahsildar, Tribal Welfare, Bhadrachalam, dated 05-07-2000, a case in L.T.R.Case No.874 of 2000/PVC has been initiated by the 3rd respondent-Special Deputy Collector, Tribal Welfare, Bhadrachalam against the petitioner on the ground that the petitioner is in illegal possession of an extent of Ac.1.09 kuntas in Sy.No.122/A situated at Yanambailu village of Palocha mandal, Khammam District. The contention of the petitioner that the said land was purchased by him in the name of his wife on 06-05-1968 under sada sale deed and she is in possession of the same was disbelieved on the ground that the Photostat copy of the sada sale deed is unregistered and unstamped and the petitioner failed to produce pahani extracts from 1968–69 to 1998-99, 2000-2005 and the burden lies on the petitioner to prove that the said possession and title is not in contravention of the provisions of the Agency laws, and accordingly ordered to evict all the concerned who were in possession and to hand over the possession to the Government. Aggrieved by the said order, dated 25-05-2005, in L.T.R.Case No.874 of 2000/PVC of the Special Deputy Collector, the

petitioner filed C.M.A.No.128 of 2005 on the file of the Additional Agent to the Government, Bhadrachalam, and the appellate authority after considering all the contentions of the petitioner dismissed the appeal directing the Government to take over the possession of the land evicting the persons who were in possession under cover of panchanama. Aggrieved by the same, the petitioner filed a revision before the Government on 27-12-2006 along with application to grant stay and the revision is pending.

3. Without expressing any opinion on the merits of the case and having regard to the facts and circumstances of the case the Writ Petition is disposed of directing the 1st respondent to consider and dispose of the revision filed by the petitioner as expeditiously as possible after giving reasonable opportunity to all the concerned and pending disposal of the revision *status quo* obtaining as on today shall be maintained. No order as to costs.

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V.ESWARAIAH,J

02nd February, 2006.

Note:

Furnish C.C. within two days.

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